



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Isiah Leggett
County Executive

Uma Ahluwalia
Director

COMMISSION ON JUVENILE JUSTICE

Meeting Minutes
November 17, 2015

CITIZEN MEMBERS PRESENT: Shehzad Akhtar, Maria Blaeuer, Carole Brown, Bonnie DeWitt, Chris Fogleman (Vice-Chair), Michael Gruenberg, Barbara Holtz, Stacey Gurian–Sherman, Jessica Markham, Perry Paylor, Erynn Penn, Roberta (Birdie) Pieczenik, Carlean Ponder (Chair) , Wendy Pulliam, Jessa Wilcox and Tisha Wiley.

AGENCY MEMBERS PRESENT: Margaret Burrowes for Amy Bills, Frank Duncan, Susan Farag, Risa Mainprize, Mary Siegfried, Ira Thomas, and Elijah Wheeler

ABSENT MEMBERS: Linda Currie, Francha Davis, Karen Francis, Captain James Humphries, Mehul Madia, Julie Malloy, Michael Subin and Jenny West-Porter.

Emeritus Member: Dr. Lee Haller

STAFF LIAISON PRESENT: Diane Lininger

GUESTS: Karyn Gross, and Margi Josh

Commission on Juvenile Justice

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facsimile

- I. **Speakers** – Carlean introduced David Eppler, Special Assistant to the Attorney General, to discuss the Guidance memorandum to End Discriminatory Profiling by Law Enforcement in Maryland and Delegate Kathleen Dumais to discuss upcoming Juvenile Justice Legislation in the State.
 - A. Special Assistant to the Attorney General, David Eppler spoke regarding U.S. Department of Justice call to action from December of 2014 regarding ending discriminatory profiling. Maryland is the first state to issue a new guidance memorandum urging state and local jurisdictions to adopt the guidelines set by DOJ. Brian Frosh, MD Attorney General, was joined by Montgomery County Executive Isiah Leggett in announcing the equal justice initiative. It was reported that juvenile crime is down in U.S. as well as in Maryland, 30 to 40%. Detention is down in U.S.; however, detention has increased in Maryland. In Maryland, juvenile detention is not confined to riskiest youth. Violations of probation and sentence variations from county to county contribute to the increase in juvenile detention. The juvenile courts must be urged to use the least restrictive methods and all stakeholders must be educated.
 - B. Mr. Eppler discussed reasons why juvenile records should be sealed, that juvenile matters should be private, and that juvenile records should not follow respondents into adulthood. Currently, if requested on college applications, one must answer truthfully regarding arrests or convictions unless record is sealed or expunged.
 - C. Delegate Kathleen Dumais, discussed juveniles entering adult facilities. The courts must establish why juveniles are sentenced to adult facilities. Delegate Dumais discussed expungements indicating that once expungement of the adult charge is granted, police records and court records are destroyed. Also, the public records will no longer be available on case search. Delegate Dumais outlined several options to reduce detention including reducing incarceration for non-violent crimes and drug charges. It has been determined that 25% of the prison population is pre-trial. One option is to determine whether cases charged as Possession With Intent to Distribute are really Possession cases. Other options include increasing the minimum limit to be charged with Felony Theft and removing the potential for incarceration in connection with Failing to Drive Without a License. Delegate Dumais also discussed sentences, release, recidivism, and post incarceration supervision. There are currently 1,300 beds in Maryland used for incarceration in connection with Violation of Probation, including non-violent violations. Parole & Probation is seeking to create a grid of sanctions for technical violations, including certain sanctions up to 15 days incarceration with second violation 30 days, third violation 45 days, etc. 1,300 beds equal 12 million dollars. However, there continues to be a need for more

mental health beds. Stacey Gurian–Sherman asked whether Delegate Dumas reviewed the Juvenile Justice Monitoring Report. Discussed strip searching of children. Also discussed space issues regarding incarcerating juvenile offenders charged with adult crimes. The State has been successful with terminating the practice of shackling juveniles in court as a matter of course. Shehzad Akhtar inquired about initial appearance by juveniles charged as adults. Public Defender indicated that juveniles are now held in juvenile facility and DJJ needs 60 days to do transfer report. Birdie Pieczenik asked about program data regarding juveniles charged as adults and the waiver hearings. Dr. Lee Haller inquired about the benefits of mental health services as a tool to reduce recidivism of juvenile offenders. Tisha Wiley raised the issue of using medications to combat opioid addictions. Some judges are reluctant to allow offenders into certain programs based on their use of certain medications.

Commented [JW1]: Answer? Yes/no?

Commented [JW2]: Mary Siegfried?

II. Announcements

- A. November 24, 2015 – Commission members are invited to tour the Thomas Edison High school of Technology. The address is 12501 Dalewood Dr, Silver Spring, MD 20906. Please sign up if you will be in attendance - Sheet being passed around.
- B. January meeting – we will have Secretary Sam Abed, Department of Juvenile Services. A list of questions needs to be prepared by each committee by December 15th.
- C. Commission members are meeting with George Leventhal, President County Council on November 30 at 1:00pm at the Council Office Building, 6th floor to discuss OLO report 2014-3. Also mentioned meeting with Craig Rice, County Council on December 7, 2015 regarding same issue.
- D. Retreat Committee. Sign up for Committee is being passed around. Retreat is on February 20 9am-4pm. Snow date is on February 27th.
- E. Thanksgiving program with Lead 4 Life at the Lincoln Park Community Center. Washington Post article moved to January 2016 meeting.

III. Old Business

- A. Minutes from October meeting were approved.

IV. Committee Reports – Committee reports were not given

V. Meeting Adjourned at 9pm

Commented [JW3]: No information given

